



250.20

STATE OF CALIFORNIA  
Edmund G. Brown, Jr., Governor

**MINUTES**  
**SAN JOAQUIN RIVER CONSERVANCY**  
Governing Board  
**Wednesday, February 7, 2018**

**Board Meeting Location:**  
Fresno Metropolitan Flood Control District  
5469 E. Olive Ave., Fresno, CA 93727  
And via phone conference:  
California Natural Resources Agency  
1416 Ninth St., Ste. 1311  
Sacramento, CA 95814

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Fresno, California 93727  
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**GOVERNING BOARD**

Brett Frazier, Chairperson  
Madera County Board of Supervisors

William Oliver, Vice-Chairperson  
Councilmember, City of Madera

Steve Brandau  
Councilmember, City of Fresno

Andreas Borgeas  
Fresno County Board of Supervisors

Kacey Auston, Director  
Fresno Metropolitan Flood Control  
District

Carl Janzen, Director  
Madera Irrigation District

Julie Vance, Regional Manager  
Department of Fish and Wildlife

Kent Gresham, Sector Superintendent  
Department of Parks & Recreation

John Donnelly, Executive Director  
Wildlife Conservation Board

Julie Alvis, Deputy Assistant Secretary  
Natural Resources Agency

Jennifer Lucchesi, Executive Officer  
State Lands Commission

Karen Finn, Program Budget Manager  
Department of Finance

Bryn Forhan  
Paul Gibson  
vacant  
Citizen Representatives

Melinda S. Marks  
Executive Officer

**MEETING AGENDA**

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Chairperson Frazier called the meeting to order at 10:31 a.m.  
and Mr. Brandau led the pledge of allegiance.

**A. ROLL CALL**

| Name                        | Present | Telecon-<br>ference | Absent | Late                      |
|-----------------------------|---------|---------------------|--------|---------------------------|
| Mr. Brett Frazier,<br>Chair | X       |                     |        |                           |
| Mr. Steve Brandau           | X       |                     |        |                           |
| Mr. Andreas Borgeas         | X       |                     |        |                           |
| Mr. Will Oliver             | X       |                     |        |                           |
| Ms. Kacey Auston            | X       |                     |        |                           |
| Mr. Carl Janzen             | X       |                     |        |                           |
| Mr. Gerald Hatler           | X       |                     |        |                           |
| Mr. Kent Gresham            | X       |                     |        |                           |
| Mr. John Donnelly           |         |                     |        | 10:50 am<br>(by<br>phone) |
| Ms. Julie Alvis             |         |                     | X      |                           |
| Mr. Colin Connor            |         | X                   |        |                           |
| Ms. Karen Finn              |         |                     | X      |                           |
| Ms. Bryn Forhan             | X       |                     |        |                           |
| Mr. Paul Gibson             |         |                     |        | 10:34 am                  |

Ms. Bains confirmed that a quorum was present.

Legal Counsel Present: Michael Crow, Deputy Attorney General, via teleconference

Staff Present: Melinda Marks, Executive Officer  
Rebecca Raus, Associate Government Program Analyst  
Jasanjit Bains, Staff Services Analyst  
Heidi West, Program Manager, San Joaquin River Conservancy  
Projects, Wildlife Conservation Board

Chairperson Frazier welcomed two new board members: Ms. Kacey Auston, a Board member of the Fresno Metropolitan Flood Control District, and Mr. Colin Connor, the alternate from the State Lands Commission. Both members signed the Oath of Office.

A-1 Approve Rotation of Board Chairperson to Brett Frazier, Madera County Board of Supervisors, and Vice-Chairperson to Steve Brandau, Fresno City Council Member.

**Ms. Forhan moved, and Mr. Brandau seconded, approval of staff's recommendation.**

Mr. Brandau asked about the rotation schedule, noting that he had served as chair and vice-chair.

Ms. Marks explained that the chairperson rotates among the three board members from City of Fresno, County of Fresno, and County of Madera.

Mr. Crow stated the San Joaquin River Conservancy Act calls for rotation of the chairperson, and is silent about how the Board chooses the vice-chairperson. The next in line to be chairperson has served as the vice-chairperson; there is nothing in the law that says the Board has to do it that way.

Mr. Brandau stated he would like, instead, to nominate William Oliver for the position of vice-chair.

Mr. Janzen and Mr. Borgeas commented on the statute, the rotation, and the service on the Board of the representatives of the three agencies.

Mr. Frazier asked if the maker of the motion was willing to accept the change.

Ms. Forhan agreed to accept revised nomination, and confirmed with staff that the selection of the vice-chairperson was a long-standing custom, not a requirement of the statute, and is discretionary.

Mr. Janzen noted that the vice-chair is just identified so that the Board has someone to lead the meetings when the chair is not present.

Mr. Crow mentioned there have been times when the chair and vice-chair are not at a meeting; under Roberts Rules of Order the Board may select another person to act as the ad hoc chair for that particular meeting.

Mr. Frazier confirmed with Ms. Forhan that she accepted amending her motion to appoint William Oliver as the vice-chair, and confirmed with the second to the motion that he also accepted the revised motion.

As revised, Ms. Forhan moved, and Mr. Brandau seconded, affirming Mr. Frazier as Chairperson and appointing Mr. William Oliver as the Vice-Chairperson of the Board for the next two-year term.

ROLL CALL VOTE:

| Name                | Yes | No | Abstain |
|---------------------|-----|----|---------|
| Mr. Brett Frazier   | X   |    |         |
| Mr. Steve Brandau   | X   |    |         |
| Mr. Andreas Borgeas | X   |    |         |
| Mr. William Oliver  | X   |    |         |
| Ms. Kacey Auston    | X   |    |         |
| Mr. Carl Janzen     |     | X  |         |
| Mr. Gerald Hatler   | X   |    |         |
| Mr. Kent Gresham    | X   |    |         |
| Mr. Colin Connor    | X   |    |         |
| Ms. Bryn Forhan     | X   |    |         |
| Mr. Paul Gibson     | X   |    |         |

The motion passed by majority vote.

**B. PUBLIC COMMENT & BUSINESS FROM THE FLOOR**

The first ten minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of interest that are not on the agenda and are within the subject matter jurisdiction of the Conservancy. Speakers shall be limited to three minutes. The Board is prohibited by law from taking any action on matters discussed that are not on the agenda; no adverse conclusions should be drawn if the Board does not respond to the public comment at this time.

None.

**C. ADDITIONS TO THE AGENDA**

Items identified after preparation of the agenda for which there is a need to take immediate action. Two-thirds vote required for consideration. (Gov. Code § 54954.2(b)(2))

None.

**D. POTENTIAL CONFLICTS OF INTEREST**

Any Board member who has a potential conflict of interest may identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

None.

**E. MINUTES**

E-1 Approve minutes of August 9, 2017

E-2 Approve minutes of October 4, 2017

E-3 Approve minutes of December 13, 2017

Chairperson Frazier suggested the three sets of minutes could be taken as one vote.

**Mr. Janzen moved, and Mr. Gibson seconded, approval of the meeting minutes of April, October and December 2017, as prepared.**

ROLL CALL VOTE:

| Name                | Yes | No | Abstain |
|---------------------|-----|----|---------|
| Mr. Brett Frazier   | X   |    |         |
| Mr. Steve Brandau   | X   |    |         |
| Mr. Andreas Borgeas | X   |    |         |
| Mr. William Oliver  | X   |    |         |
| Ms. Kacey Auston    | X   |    |         |
| Mr. Carl Janzen     | X   |    |         |
| Mr. Gerald Hatler   | X   |    |         |
| Mr. Kent Gresham    | X   |    |         |
| Mr. Colin Connor    | X   |    |         |
| Ms. Bryn Forhan     | X   |    |         |
| Mr. Paul Gibson     | X   |    |         |

The motion unanimously passed.

**F. CONSENT CALENDAR**

All items listed below will be approved in one motion unless removed from the Consent Calendar for discussion:

F-1 Reminder to File Statements of Economic Interest and Complete Biennial Ethics Training, Due April 2, 2018

F-2 Approve Board Meeting calendar for 2018

**Ms. Forhan moved, and Mr. Oliver seconded, approval of the consent items as presented.**

ROLL CALL VOTE:

| Name                | Yes | No | Abstain |
|---------------------|-----|----|---------|
| Mr. Brett Frazier   | X   |    |         |
| Mr. Steve Brandau   | X   |    |         |
| Mr. Andreas Borgeas | X   |    |         |
| Mr. William Oliver  | X   |    |         |
| Ms. Kacey Auston    | X   |    |         |
| Mr. Carl Janzen     | X   |    |         |

|                          |   |  |  |
|--------------------------|---|--|--|
| <b>Mr. Gerald Hatler</b> | X |  |  |
| <b>Mr. Kent Gresham</b>  | X |  |  |
| <b>Mr. Colin Connor</b>  | X |  |  |
| <b>Ms. Bryn Forhan</b>   | X |  |  |
| <b>Mr. Paul Gibson</b>   | X |  |  |

The motion unanimously passed.

## **G. DISCUSSION**

- G-1 Authorize Amendment to Sycamore Island Operations and Management Services and Supplemental Programs, Events, and Services Agreement with the San Joaquin River Parkway and Conservation Trust to Expand Services into the Van Buren Unit.

Ms. Marks reported the Conservancy acquired Sycamore Island in 2005; it had been a public fishing site in the 1960's or possibly earlier. Previously, public access was available on weekends when the gravel mine was not operating, and continued by the Conservancy through concession agreements. The property has vault toilet restrooms, picnic shelters, and an off-stream fishing access project underway under the Proposition 1 grant program. In 2012, the Parkway Trust began operating the concession agreement, and with Board approval in October 2017, they will continue their tenancy through December 31, 2019. They operate February through November on Fridays, Saturdays, Sundays and state holidays. In 2017, attendance was a record with over 10,000 visitors. The Parkway Trust has been increasing programs and operations, and this year there will be a continuation of the fishing derby with the Department of Fish and Wildlife.

Ms. Marks added that Ms. Sharon Weaver will be speaking about some of the accomplishments at Sycamore Island. There is a pond that is very popular and is used for the annual Fishing Derby; the road leading to the pond was damaged and was not accessible. Thanks to Mr. Hatler and his team at Department of Fish and Wildlife, they repaired the road.

Ms. Marks presented the recommended action: Now that the berm has been repaired to connect Sycamore Island and the Van Buren Unit, the Parkway Trust proposes to allow visitors to hike, bike and fish within the Van Buren Unit; this would double the size of the Sycamore Island operation. Visitors would enter Sycamore Island through the same access gate; access into the expanded area would only be by foot or bicycle. This expanded area of public use was considered in the River West Madera Master Plan; the County of Madera and the Conservancy Board approved the Mitigated Negative Declaration in 2012 and 2013.

Ms. Weaver thanked the Board for considering the expansion of Sycamore Island to include the Van Buren Unit. She thanked Mr. Hatler and his team for the repairing the road. She provided the Board a photo of the road repair that was posted on Facebook and had reached 8,505 people. This demonstrated how excited people are to have access to that pond again. She shared a map of participant data from the Bass Derby in June 2017. The map illustrates visitors come from throughout the region, not just north Fresno. Ms. Weaver thanked the Parkway Trust's staff member Sarah Parkes who is a part of the running club that helped sponsor an event at Sycamore Island.

Mr. Gibson inquired if the run had sold out, again, this year. Ms. Weaver replied that it had sold out, and the number of participants had been increased to 320. Mr. Bart Bohn, former District 6 CalTrans Director, helped with the parking. The Parkway Trust is thinking of expanding the event to 500 people next year and utilizing the Van Buren Unit.

Mr. Hatler suggested calling it, "The Salmon Run." The Board appreciated the suggestion.

Ms. Weaver reported that last weekend was opening weekend and there were about 345 participants at the site, with a gross revenue of just under \$3,000.

Upon inquiry from Mr. Oliver, Ms. Weaver noted that the Fishing Derby was not held last year, since they were unable to plant trout due to the damage to the road.

On inquiry from Mr. Frazier, Ms. Weaver stated the postings on Facebook were all "organic." The Parkway posts regularly on the site and shares photos from anglers.

Mr. Janzen asked if the picture shown of the road linking Sycamore Island and the Van Buren Unit along the berm was a recent photo taken after the high water releases in the river last year. Ms. Marks reported that it was taken after the flows had receded, and the berm and floodplain performed exactly the way they were designed to perform, even though there were no plants in the ground yet to stabilize the new fill.

**Mr. Gibson moved, and Mr. Borgeas seconded, approval of staff's recommendation to extend the Sycamore Island operation to include the Van Buren Unit.**

ROLL CALL VOTE:

| Name                | Yes | No | Abstain |
|---------------------|-----|----|---------|
| Mr. Brett Frazier   | X   |    |         |
| Mr. Steve Brandau   | X   |    |         |
| Mr. Andreas Borgeas | X   |    |         |
| Mr. William Oliver  | X   |    |         |
| Ms. Kacey Auston    | X   |    |         |
| Mr. Carl Janzen     | X   |    |         |
| Mr. Gerald Hatler   | X   |    |         |
| Mr. Kent Gresham    | X   |    |         |
| Mr. Colin Connor    | X   |    |         |
| Ms. Bryn Forhan     | X   |    |         |
| Mr. Paul Gibson     | X   |    |         |

The motion unanimously passed.

Mr. Donnelly arrived via teleconference during the roll call vote and did not vote.

#### H. ADMINISTRATIVE AND COMMITTEE REPORTS

If time allows, the following oral reports will be provided for informational purposes only, and may be accompanied by written reports in the Board packet. No action of the Board is recommended.

##### H-1 Organizations

###### H-1a San Joaquin River Parkway and Conservation Trust

Ms. Weaver thanked Mr. Ted Morgan, a member of the Parkway Trust board, for a wonderful job building excitement regarding operations at Sycamore Island. Ms. Weaver

shared plans regarding a potential partnership with Valley Children's Hospital. The Parkway Trust will be hosting a few public events to highlight the new expanded access coming up in March such as a bike ride, or some sort of event, and will keep the Board informed.

#### H-1b RiverTree Volunteers

Mr. Richard Sloan from RiverTree Volunteers stated there is a clean-up scheduled for February 17<sup>th</sup>; if there are enough volunteers they would tackle abandoned camps on the Conservancy's Spano property. The volunteers have already removed two trailer-loads of trash. Mr. Sloan informed the Board there are numerous homeless camps, some of them are on Conservancy properties, and some are growing marijuana. A cleanup of Wildwood Native Park was completed a few weeks ago. Railroad ties were installed along the fence to prevent vandalism of the fence. There is erosion along the river at Ledger Island and PVC pipes are exposed.

Mr. Gibson asked if there are constraints on RiverTree's resources to maintain its programs. Mr. Sloan stated the biggest issue is the cost of trash disposal after a cleanup. They rely on personal funds. For cleanups near Woodward Park the organization is allowed to discard trash there, but they can't overwhelm the dumpsters.

Mr. Gibson asked Ms. Marks if there are funds available to help pay for trash disposal. Ms. Marks responded that the SJRC fund appropriation is available for fundamental property management. The Conservancy can provide on some occasions large bins for clean-ups.

Mr. Gibson, Mr. Sloan, and Ms. Auston discussed the costs and frequency of trash disposal by RiverTree. Ms. Auston asked Mr. Sloan for his contact information so that she could look into finding assistance.

Mr. Donnelly asked if RiverTree's work always occurred on Conservancy property or on a combination of publically owned properties along the river. Mr. Sloan replied that much of their work is on the river itself, and most of the work is on Conservancy property.

#### H-2 Deputy Attorney General

Mr. Crow informed the Board that the alternate for his position will now be Deputy Attorney General Christina Morkner-Brown. She represented and assisted the Conservancy on the River West Fresno EIR. She will be attending either by conference call or in person in the future.

Mr. Frazier thanked Mr. Crow and the Attorney General's Office for assistance and guidance throughout the River West Project.

#### H-3 Executive Officer

Ms. Marks informed the Board about the River West Work Group meeting that was held on January 17, 2018. Benchmarks that need to be accomplished within one year were listed in the staff report. The meeting notes identify the issues that are arising and what the work group is doing to address them. Each time the work group meets a briefing report will be provided to the Board. This first meeting was introductory, but indicates how the work group is beginning to

implement the project and address issues associated with the North Palm public access area (Alternative 5B). There was a second meeting among a sub-group to discuss the post closure land use plan for the 11-acre property. The non-profit, San Joaquin River Access Corporation (SJRAAC) is working to secure consultants so that they can make progress on the post closure plan land use plan and design requirements for the North Palm access. It was noted that there cannot be final approval from the regulatory agencies until there are final working plans, drawings, and specifications. The SJRAAC is continuing negotiations with Mr. Spano to address the Board's concerns regarding the easement that is tied to their option to purchase the property. By the end of the year, when the option expires and the SJRAAC closes escrow, they hope to renegotiate the easement so that it better defines Mr. Spano's approval authority over any improvements on the parcel.

Mr. Janzen inquired if it would be possible to consider, instead of locating the parking lot on the landfill, locating a parking area to the east on unaffected Conservancy property.

Ms. Marks stated the location on the Conservancy's property was not considered for a location of a parking lot, because it would be located directly below and near to residences. The location was not considered in the EIR.

Mr. Gibson stated that work group discussed doing a study of the operations and maintenance needs. He had asked if the Conservancy could phase the opening of River West and move fairly quickly to open the trail, the Perrin parking lot, and the bike and pedestrian entrance at Riverview Drive. The Conservancy could partner for operations and maintenance and possibly move forward on these elements while the rest of the work is being done. He asked staff if it is a possibility to get started as quickly as possible, if we were able to solve the operations and maintenance questions.

Ms. Marks stated that is possible and was a part of the Board's resolution in approving the project. One of the orders of the Board was to implement elements of the core project as soon as possible. The Conservancy needs the cooperation of the City of Fresno, along with the Parkway Trust, to hold working meetings to determine the services required to operate the core elements, when those could be completed and be open to the public, and then do budget planning. Not only the City but other viable partners could take on certain elements of operations and maintenance. Once operations and maintenance resources are committed we could begin the engineered design.

Mr. Gibson added that the Perrin parking lot could be a controlled-access parking lot with user fees to offset expenses.

Mr. Borgeas stated the County of Fresno changed its fiscal year cycle from spring to fall, and added that once the Conservancy has estimates for operations and maintenance, perhaps the Board can authorize Ms. Marks to work with him to make a presentation to the Fresno County Board to let his colleagues and staff know that this partnership could be continued. They could ask Fresno County to appropriate funds to assist with operations and maintenance. There should also be a presentation to the Fresno County Transportation Authority (FCTA), which administers Measure C funds.

Ms. Marks added that Measure C funds appropriated to the City of Fresno and the County of Fresno are possible resources for trail operations and maintenance. The maintenance costs of Alternative 5B may be relatively high—for example the cost of maintaining retaining walls—however, starting with core project elements, the costs should be modest.



Mr. Borgeas suggested a presentation to the County in spring and maybe in March or April the Board could authorize a presentation to the FCTA.

Mr. Gibson stated he was impressed with the work group's initial meeting. As a result, we can move at a pace that is much quicker to provide the public a really good project.

Mr. Frazier added the Board had talked about building the trust with the public, and ensuring the public sees forward motion and improved access. If we can get started getting people to the river, that will be important moving forward.

Resuming her report, Ms. Marks announced she will be retiring by late summer 2018. The Conservancy will begin recruitment probably in April.

Mr. Janzen inquired about the procedure for hiring for the Executive Officer.

Ms. Marks stated the process would go through a State open recruitment process. Usually the process takes about 6 months. When she was hired there was an ad hoc committee of the Board that evaluated the applications, interviewed candidates, and made recommendations to the full Board, which then made recommendations to the State to complete the hiring process. Ms. Marks suggested the Board form an ad hoc committee to update the job duty statement and begin the State recruitment process. She noted that it would be helpful for Board members to use their networks to find qualified candidates.

Mr. Borgeas asked whether the State had ultimate authority on hiring. Ms. Marks responded that her appointment had to be approved by the Governor's Office.

Mr. Crow noted that the Board, under the language of the SJRC Act, makes the decision on hiring the Executive Officer.

Mr. Borgeas asked if the Conservancy is authorized to use its budgeted funds to hire a professional service to help recruit for the position. Ms. Marks stated she would look into that.

Mr. Borgeas noted the importance of Ms. Marks' position.

Mr. Frazier stated that the Board would create an ad hoc committee at the next Board meeting and requested rules or guidelines from staff and Mr. Crow. Mr. Frazier thanked Ms. Marks and he and other Board members expressed appreciation for her service.

#### H-4 Board Members' Reports

##### I. EXECUTIVE SESSION

Before convening in closed session, members of the public will be provided the opportunity to comment on Executive Session agenda items.

None.

##### J. NOTICE OF BOARD, ADVISORY, AND PUBLIC MEETINGS

None.

K. NEXT BOARD MEETING DATE

Subject to adoption of the Board meeting calendar (item F-2), the next Board meeting will be held March 7, 2018. Please look for the approved meeting calendar and meeting notices at [www.sjrc.ca.gov](http://www.sjrc.ca.gov).

L. ADJOURN

Chairperson Frazier adjourned the meeting at approximately 11:41 a.m.

Board meeting notices, agendas, and approved minutes are posted on the Conservancy's website, [www.sjrc.ca.gov](http://www.sjrc.ca.gov). For further information or if you need reasonable accommodation due to a disability, please contact Jasanjit Bains at (559) 253-7324 or [Jasanjit.Bains@sjrc.ca.gov](mailto:Jasanjit.Bains@sjrc.ca.gov).

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Melinda S. Marks", with a horizontal line underneath.

Melinda S. Marks, Executive Officer